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pending, and we can take it up on some other day. I think we may keep the Bill at the second reading stage or the third reading stage."

MR. PRESIDENT :—" In that case we may take up the adjournment motion at 2-30 p.m. and finish it by four o'clock."

III.—THE MADRAS VILLAGE PANCHAYATS BILL, 1949—*cont.*

MRS. M. HENSMAN :—" Mr. President, Sir, I have not got great many points to touch upon. I think we ought to look to clause 28 first. It is a clause which deals with the general principle of appointment of executive officers, which seems to be the crux of the matter. For, there are various questions which arise in one's mind over this clause. First of all, let us see what specific work will the executive officers have to do. These are laid down in detail in the Bill, and so I need not narrate them here. But it seems to me that it would be far more desirable for the executive officer to take upon himself the task of collecting taxes. For, as he has got the right to the money of the panchayats, it would be better if he takes upon himself the task of collection of taxes. That would save a lot of time and labour otherwise spent by various people now in that connexion. I do not understand why Government should not pay the salary of the panchayat officer themselves? When he is to be appointed by the Government and when he is to be transferred by Government alone, why not he be paid by Government? Why should he be paid by the panchayat?"

MR. PRESIDENT :—" There is too much noise in the House. Surely the hon. Member now speaking is entitled to the attention of the House."

MRS. M. HENSMAN :—" Sir, the executive officer has a dual authority to serve. He is appointed by the Government, whatever party is in power. His is more or less a nominated post, so to say. He may be transferred at the will of the Government. But all the same, he is to be paid by the panchayat board; not at the rate fixed by the panchayat but at a rate fixed by Government to cover salary and allowances and so on. Now, Sir, this seems to be not a proper way of dealing with the question. People who pay his salary should have control over him, and he in his turn should be responsible to them. Although the executive officer may be an officer of Government, people who pay him should have control over him. Further, his position is such, he should be a co-ordinating officer between the Government and the people. I know the Hon. Minister will say that Government would appoint only such people as officers. But, Sir, human nature is such, unprecedented crises develop, and it may be, at some future date, an officer appointed by Government may not be in full sympathy with the panchayat board, in which case, to which authority does he owe allegiance? No doubt, the Inspector is there as a supervising authority; but all the same, one has to consider the sort of executive officer, the panchayat has.

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"Sir, one last question about the executive officer, before I let him go. This officer looks to Government for appointment, and the Treasury Bench would dismiss him, if he does not carry out their behest. If I may be allowed to make an insinuation, the executive officer might control elections. To-day, as the Hon'ble Shri Mavlankar, Speaker of the Indian Parliament, told us, we are going to have adult suffrage soon, and our people would be asked to go to the polls. Sir, in 1931, in another country, I have watched how adult suffrage worked. There were a great many coolies in an estate. I watched how certain people bought their votes one day, and some others rebought them the succeeding day, so much so, nobody was sure of the votes until the actual polling day. I am sure such a thing would not happen in our country. But when our people go to the polls, the executive officer, in his administrative capacity, might influence voting in one way or the other. Very often our illiterate people ask to whom they should vote. Naturally, the executive officer might influence those around him to vote for a certain person, who may be his friend. The executive officer may have guidance coming from above as to what group he should attach importance to. With due respect to him, I should say that he may have personal feelings and prejudices. I request the Hon. Minister concerned to put in some clause or by-law whereby the executive officer is prevented from openly or secretly influencing illiterate voters.

12-15
p.m.

"Then, I wish to say a few words about the reservation of seats for women. The relevant clause in the original Bill has been deleted by the Select Committee. Though there are several women-members belonging to the party in power in the other House, not one woman-member had been included in the Select Committee. I think this was a very grave omission. Men may be very good for making the first few clauses of the Bill. . ."

MR. PRESIDENT:—"Was it not a Joint Select Committee?"

MRS. M. HENSMAN:—"Yes, Sir, it was a Joint Select Committee of both Houses. I can understand the non-inclusion of women-members of this House because we do not belong to the Congress Party and may not see eye to eye with the Government. But when there are a number of women belonging to the Congress Party in the other House, it is a great fault and a great oversight not to have appointed even a single woman-member. I will explain the reason why I plead for the inclusion of women when the Bill is taken up clause by clause. If my memory serves me right, clauses 80 to 90 chiefly concern women."

DR. V. K. JOHN:—"Is it suggested that the Hon. Minister for Local Administration was not chivalrous?"

MRS. M. HENSMAN:—"I am making no insinuation; I am simply stating facts.

"Things like markets, drains, roads, ventilation, houses, etc., can be looked after and best managed by women. It is the women who are chiefly concerned with what is bought and sold, the price, cleanliness and everything else. I would only plead that the

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Government and the Party in power could have been more chivalrous and retained the clause relating to reservation of seats for women. Anyhow I request the Hon. Minister in charge of the Bill to give some sort of guidance that in every panchayat at least two or three women—not one miserable woman—may stand and get elected. There are very special reasons for reserving seats for Harijans and I do not press for that clause to be taken out. I only plead that women be allowed to come into the panchayats at least by election if not by reservation. I have been watching the results of the recent elections to the Dominion Parliament and I am surprised that not one woman has been selected from this Province. Madras is not wanting in Congress women who have sacrificed and suffered in the cause of the country and gone not only to the polls but also to jails. Therefore I am surprised. . . .”

THE HON. SRI K. MADHAVA MENON :—“ We have elected three women from Madras.”

MRS. M. HENSMAN :—“ The Hon. Minister is talking of the distant past. I am talking of the immediate past. I would like to draw the attention of the Hon. Minister to one small point. A penalty of fifteen rupees is provided for building some permanent structure over a drain whereas a penalty of two hundred rupees is provided for planting trees without permission on any public road. Sir, in the whole countryside we want to plant trees. We are appealing to agriculturists to celebrate every Independence Day by planting trees. When we are thus encouraging the planting of trees, the penalty of two hundred rupees for planting trees on a public road is too heavy. Are the Government trying to make penalties a source of revenue?

“ The whole Bill seems to be wanting in commonsense from the woman's point of view. It is the women that make men happy in the villages. Without the advice of women in the panchayats, I think certain clauses of the Bill cannot be successfully implemented. These are the two constructive suggestions that I have to make at the moment and I would plead with the Minister concerned to adopt them.”

* THE HON. SRI K. MADHAVA MENON :—“ Mr. President, Sir, I would not have interceded in this debate but for certain remarks made by the Leader of the Opposition though they were not quite relevant to the Bill under discussion. There is a saying that when mud is slung, something sticks and cannot be removed unless thoroughly washed. I want to wash out certain things that have been slung at us. (Interruption by Sri B. Narayana-swami Nayudu.) If the speech had been confined to the Village Panchayats Bill, the Hon. Minister for Local Administration will answer. But since certain remarks not strictly pertinent to the Bill were made, I am replying to them. I am only supplementing the Hon. Minister concerned.

“ The Leader of the Opposition said that this Council was a post-office. I do not know what its implications are. If it means that post-office is a useless institution, I certainly beg to differ.

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Post-offices are very very necessary institutions and without them we cannot get on in this country now-a-days. If my Friend's attempt is to say that post-offices are useless, it is a slander on them. I cannot imagine an office of greater use than the post-office. It makes for easy communication with each other. If such a useful institution as the post-office is called useless, all I can say is : God help us!"

MR. PRESIDENT :—" I do not want any aspersion cast on the capacity or nature of the House. I may tell the Leader of the Opposition that I do not like his reference to this House as a post-office, irrespective of whether post-offices are useful or useless. I think we ought to maintain the dignity of the House. If the Opposition is not able to make headway, I do not think even the Opposition is responsible for it. We work under a set of circumstances in which it has not been possible for the Opposition to form an effective Opposition. The real political party in the country is only one and that is running the Government. There is no other party which could under ordinary circumstances be called upon to take up the responsibility of Government or function as an effective Opposition. So I do not find fault even with the Opposition for not being able to make effective headway in this House. But I do not certainly like that anybody, whether in the Opposition or Ministerial side, should make any remarks which will be detrimental to the usefulness of the House. Every Member of the House is entitled to think that he is as useful as he can make himself to be. If the hon. Leader of the Opposition is not able to make headway, I am sure the hon. Members on the ministerial side will think that they are making headway and pushing through very important measures. It is open to them to say that all their measures are for the good of the country as much as it is open to the Opposition to say that they are not for the good of the country. I very much request the Opposition not to cast any such aspersion upon the capacity, nature and usefulness of the House. I do not think the usefulness of the House depends upon ourselves and not so much upon anything that is said or done here. With the advent of really democratic political parties in this country which, I am sure, will be very soon, the whole set-up will change and the Members of the Opposition will then have an opportunity to make themselves felt."

DR. V. K. JOHN :—" Sir, may I offer a personal explanation? When I said 'post-office', it was not with the intention of casting aspersion on the usefulness of the House of which I am myself a Member. What I said was this. Even when the Government felt that an amendment ought to be allowed, they would not allow it but would take the tortuous procedure of bringing in an amending legislation. We have had examples of that."

MR. PRESIDENT :—" I have no objection to that kind of remark."

DR. V. K. JOHN :—" In the Zamindari Abolition Bill, an amendment was moved to the effect that the Council also must be consulted in regard to the rules framed under the Bill. The Government spokesman said that it was a proper thing, but added

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that the Bill be passed as it was and that he would bring in an amending Bill incorporating the amendment later on. I never said that post-office was useless. I said that we were simply stamping what the Assembly passed."

MR. PRESIDENT :—" We understand what the hon. Member says. But with reference to the particular incident referred to by the hon. Member, I will make the position clear. The Minister concerned was very anxious to send the Bill to the Governor-General for his approval by a particular date and he wanted the House to co-operate with him. As a matter of fact, I think we all, though not in so many words, consented to the matter being brought before the House in the form of an amending legislation. So I do not think Dr. John need labour that point. I am sure the Government are anxious to take the Opposition with them. If opportunities occur, I am sure the observation of the Opposition will receive due weight at the hands of the Government. I think we may allow the matter to rest there."

* THE HON. SRI K. MADHAVA MENON :—" The other point referred to by my hon. Friend was about the sense of frustration. You, Mr. President, have answered that point. His third point was that the Government had a brute majority, a steam-roller majority. These are his usual invectives. Why are the Opposition in a minority? When we or anybody else has got a majority, why should it be called 'brute'? As I said in the case of the post office, steam-roller also serves a very useful purpose."

DR. V. K. JOHN :—" I have not called anybody 'brute'."

* THE HON. SRI K. MADHAVA MENON :—" I would prefer my Friend calling somebody brute instead of saying that the whole majority is brute. The minority wants to be brutish by always saying that the majority does not care for it. That is not our object. I am afraid such expressions have lost novelty and become stale."

" Regarding the sense of frustration of the Opposition, my Friend is not correct, as you, Mr. President, were pleased to point out. My Friend was not a Member of this House on a former occasion when there was very little time for passing the Madras Tenants and Ryots Protection Bill when it was piloted by Mr. Karanth."

MR. PRESIDENT :—" He was here. In fact, I wanted to remind him about that. But that was only a solitary instance."

* THE HON. SRI K. MADHAVA MENON :—" An amendment to that Bill was accepted in this House. Though the Bill was passed in the other House, the Bill was sent back to that House. About the amendment to the Zamindari Abolition Bill, you have given the answer."

" Supposing an amendment is necessary. Even if it comes from the great Leader of the Opposition, we cannot simply accept it, but we will have to consider it and convince ourselves of its necessity before we can accept the same."

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DR. V. K. JOHN :—“ The adjective ‘ great ’ used by the Hon. Minister does not fit in with my position, Sir.”

* THE HON. SRI K. MADHAVA MENON :—“ Then I shall withdraw it, Sir. In the case of the Zamindari Abolition Bill, which he had mentioned, in fact, certain amendments were found to be necessary, but because there was some urgency in passing that legislation, my hon. Friend Mr. Kala Venkata Rao promised to bring in an amending Bill embodying the amendments, and it was only with the consent of the House that that Bill was got through. Not only that, Sir, but, when certain members pointed out that the rules framed under that Act should be brought before this House for its approval, the Hon. Mr. Kala Venkata Rao did, in fact, promise that whatever rules were framed under the Act, would be brought before this House, although it was not usually done, and my Hon. Colleague Mr. Sitarama Reddi did, in fact, bring those rules before this House first, for its approval, and then only he took them to the other House. Therefore it is not fair, Sir, that we have paid no heed to the wishes of the Members of this House, or that we have any intention to cause a sense of frustration in the minds of the opposition. There is absolutely no inferiority complex in this matter, so far as the opposition is concerned, and if they think that they suffer from any inferiority complex or from any sense of frustration, we are not responsible for it, Sir.”

DR. V. K. JOHN :—“ I accept the explanation, Sir.”

* THE HON. SRI K. MADHAVA MENON :—“ The next thing that the Hon. Leader of the Opposition referred to was about the absence of Ministers during debates. Sir, with your permission I shall read the exact words he used in accusing the Ministers, and which I have noted down here. Sir, I felt so much about what he said, that I was about to leave the House, but you advised me to sit. He said, ‘ This is a very important measure vitally concerned with the lives of the inhabitants of 56,000 villages and when this is being discussed in this House, I am surprised that the other Ministers are absent.’ Sir, there may be many things about which my hon. Friend may be surprised, but I am never surprised with whatever the Hon. Leader of the Opposition says, because it has become a common habit with him to accuse the members of the Treasury Benches for anything and every thing whenever he begins to speak on the floor of the House. Then he went on to say, ‘ The Ministers do not care what discussions are taking place in this House or what suggestions are offered by Members, on a measure that touches the life of every individual in this Province. Every Minister who is responsible to the public should be present. If the usefulness, dignity and prestige of this Council is to be maintained, the Ministers should not treat this House with scant courtesy’. Certainly I must protest against these remarks, Sir. It is very wrong to say that we are treating this House with scant courtesy. There are members of this House who are also Ministers and to say that we are

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treating this House with scant courtesy, would amount to saying that we are treating ourselves with scant courtesy. Sir, it is wrong, it is improper and it is really unfair on the part of the Hon. Leader of the Opposition to make such a remark, because it would be suicidal if we go on saying that we are treating this House with scant courtesy.

"Sir, if the Hon. Leader of the Opposition offers any legal opinion on any point of law, then I can accept his opinion, because I know his legal acumen. But in matters of parliamentary procedure, he cannot claim himself to be an authority and to ask us to be present whenever he stands up and makes a speech in this House on that subject or about any particular association in any part of the world which he thinks does such and such a thing we certainly cannot take that as a dictum which we should obey. You, Sir, have got a right to ask us to be present here, and we are bound to obey your rulings. But for every legislation that comes before this House, if somebody else thinks that it is important and that all Ministers should be present in the House, then it is certainly going beyond his province. Perhaps during the general discussion of the budget, Sir, I can understand the necessity for all Hon. Ministers being present here, because discussions might centre round all the subjects in which all Ministers are concerned, but when a particular measure relating to a particular Minister is discussed, I think it is obviously the Hon. Minister in charge of that Bill alone should be present and I do not think there is any necessity for other Ministers also to be present. If it is the idea of the Hon. Leader of the Opposition that every Minister should be here when he makes his speech, then he should make his speech sufficiently attractive for all of us to be here. That is all I can say in reply to his accusation and we cannot be giving audiences to all speeches of the opposition members in this House, even if they come from the Leader of the Opposition. That is not fair, and I cannot accept the dictum of the Hon. Leader of the Opposition that every Member of the Treasury Bench should watch the entire proceedings of the House. Nobody has a right to make a demand like that, except, you Mr. President. We must be left to ourselves to a little bit of our own responsibility in this matter. But it must be understood that it is not at all with the idea of showing any disrespect to the House that some of us happen to be absent, when any discussion goes on in this House, but because there is really no necessity for our being present here, and it will only be redundant when there is already the Hon. Minister in charge of the subject in the House, to make his reply to the various points raised in the course of the debate. Sir, there was an occasion when my Hon. Colleague, Mr. Sitarama Reddi, was not in the House at the time of voting, because he is not a member of this House and cannot take part in voting. Apart from that, Sir, on any specific legislation, for instance, on the Land Acquisition Amendment Bill, I cannot understand why all the twelve Ministers should be here, even though the Hon. Leader of the Opposition might have some very good advice to give about the law and procedure relating to land

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acquisition. He can at best ask the Hon. Minister for Revenue and perhaps the Hon. Law Minister to be present. Why should he want all the Ministers to be present? Is it his idea that every Minister who does not present himself in the House, when he speaks, does not have the welfare of the people at heart? I do not think, Sir, that it is proper on the part of the Hon. Leader of the Opposition to arrogate to himself that he alone has got the welfare of the people of the country at his heart. He was telling us yesterday that these things would appear in the papers, and that the public would read these things. That is what we also want. We seek publicity for our action. We are not fighting shy of publicity."

DR. V. K. JOHN :—" I submit, Sir, that every member of the House has a right to comment upon the absence of the Ministers."

* THE HON. SRI K. MADHAVA MENON :—" I do not deny him that right, Sir. I do not at all say that he should not make any comment upon our absence. But, except you, Sir, nobody else can compel us to be present here. But comments and remarks like those which the Hon. Leader of the Opposition has made just now cannot but really undermine the dignity, the prestige and the usefulness of every member of the House, and I can only characterize his comments as simply puerile, and not comments based on reason. My hon. Friend, Dr. John, may have the flattering unction on his soul that he alone has got concern about the usefulness, the dignity and the prestige of this House, but I feel, Sir, that such remarks as these, coming from the Hon. Leader of the Opposition really spoil the prestige, spoil the usefulness and spoil the dignity of this House, the very things which he wants to safeguard. This sort of school-master's behaviour with all his pedagogic pedantry saying, ' I am the Leader of the Opposition and everything I say must be accepted and every Minister must be present when I speak ' has not been accepted before and much less will it be accepted now. If the Leader of the Opposition wants to play the role of a school-master, this is not the place for him to do so, nor are we going to be his students in parliamentary procedure."

DR. V. K. JOHN :—" A school-master does a really useful function, Sir."

* THE HON. SRI K. MADHAVA MENON :—" I realize, Sir, the usefulness of a school-master, but his function is not here in this legislature, and it is too late in the day for us to be treated in this sort of pedagogic and patronising way in which the Hon. Leader of the Opposition wants to treat the Ministry. We have our own sense of responsibility and we are equally concerned with the welfare of the public and we are equally anxious to serve their interests and it does not lie in the mouth of the Hon. Leader of the Opposition to preach us a homily on these matters, nor is he entitled to compel our presence in the House whenever he rises to speak."

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DR. V. K. JOHN :—" I accept the explanation of the Hon. Minister, Sir."

THE HON. SRI P. S. KUMARASWAMI RAJA :—" It is not for the acceptance of the Hon. Leader of the Opposition." (Interruption.)

* THE HON. SRI K. MADHAVA MENON :—" Whether the Hon. Leader of the Opposition accepts my explanation or not, I cannot accept his dictation as when we should be present and the question of deciding the importance or otherwise of the proceedings of the House for us to be present, should be left to us and if we are absent, he may perhaps comment, but he cannot order us to be present."

DR. V. K. JOHN :—" On a point of personal explanation, Mr. President, I simply made a comment and I have every right to use the language I did, Sir."

MR. PRESIDENT :—" So far as this House is concerned, it would be an ideal state of things, if every hon. Member is present to watch the proceedings of the House. That would have been really an ideal thing, but it is not possible for some Hon. Members either on this side of the House or on the other to be always present when any discussion is going on in this House."

* THE HON. SRI K. MADHAVA MENON :—" Sir, my hon. Friend the Leader of the Opposition also commented upon the fact that many members on this side were also absent on various occasions. I think, Sir, it is wrong to fetter the discretion of hon. Members to be present in the House or not and to take part in the proceedings but if my hon. Friend wants them to hear his speech, he must, as I have already said, make his speech sufficiently attractive for them to remain in the House."

DR. V. K. JOHN :—" Sir, I take serious objection to these remarks, because I never said that members on the other side should be present to hear me."

* THE HON. SRI K. MADHAVA MENON :—" I am not yielding, Sir. My hon. Friend said that the members of the Congress Party were also absent on many occasions. That is why, Sir, I had to make this remark. If they were absent, the reason must be obvious. I have nothing more to say about it, Sir."

MR. PRESIDENT :—" That is a matter which must be left to the responsibility of individual members. I am here to see that the Government is properly represented. The House can look to me for that."

* THE HON. SRI K. MADHAVA MENON :—" Sir, you have had occasions to remark about it also, and you have a right to insist on our presence. But I feel, Sir, that there should be a limit to the remarks of the Hon. Leader of the Opposition in this regard. This is not the first time he has been doing so. I cannot understand why he has been resorting to this sort of

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brandishing every time he begins to make his speech in this House, when we are getting on quite smoothly and well. Sir, even this morning he made rather a jocular remark that he had noted with admiration how the Speaker of the Central Legislature had been allowing opportunities to members of that House for full, free and frank criticism of the actions of the Central Government, as if you are not allowing it here. We know it, as a matter of fact, Sir, that nowhere is greater and freer criticism allowed to members than in this House. Because these remarks had been made by the Hon. Leader of the Opposition against the Ministers, I had to rise and offer my explanation, Sir, and I shall leave it to the House to decide how far he is justified in having made those remarks."

SRI B. BHIMA RAO :—" Mr. President, Sir, since the constitutional position of this House is being discussed, may I request you to give me a few minutes so as to enable me to explain the position, with regard to the remarks made by my hon. Friend, Dr. V. K. John, that this House is like a mere post office? "

MR. PRESIDENT :—" I do not think that we need discuss that matter now."

SRI B. BHIMA RAO :—" Sir, I only invite your attention to some of the books on the present Indian Constitution in which the functions and powers of the Second Chamber has been clearly defined and which probably my hon. Friend the Leader of the Opposition has been referring to. (Interruption.) In spite of these things, our own feeling is that we are not given the liberty to vote as we like on certain occasions of great importance. Sir, I have always been with the Government on almost all occasions, except perhaps a few . . ." (Interruption.)

* THE HON. SRI K. MADHAVA MENON :—" On a point of order, Mr. President. You as President of this House have always stood for the liberty of members to vote as they please, and you have never questioned the right of my hon. Friend, Mr. Bhima Rao, to vote according to his desire on any occasion, and therefore, is he in order in making a remark like this, Sir? "

MR. PRESIDENT :—" We have not heard him completely."

SRI B. BHIMA RAO :—" Because the constitution of this House has been referred to, during this discussion, I have ventured to offer a few remarks about what I have felt regarding the liberty of members to vote as they please. Sir, with regard to this Bill, I have already made my remarks. Now I want to say a few words on the rights of members in regard to voting on any particular issue."

MR. PRESIDENT :—" This is out of order here. The hon. Member is introducing another discussion altogether."

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SRI B. BHIMA RAO :—“ I am only rising to make my observations with regard to the use of the word ‘post office’ with reference to this House, Sir, and I hope you will please permit me to do so.”

MR. PRESIDENT :—“ Let me know what is it the hon. Member wants to say.”

12-45
p.m.

SRI B. BHIMA RAO :—“ Sir, this House should be a House of revision and correction. According to the Joint Select Committee’s report (paragraph 150), usually three months time was contemplated to be given to us to study Bills when they emerge from the lower House and then table amendments, if any. Each man is given the liberty of action. If the Bill is not brought before this House within the three months, the Joint Select Committee considered”

MR. PRESIDENT :—“ Please come to your point.”

SRI B. BHIMA RAO :—“ My point is that in this House every hon. Member should be given the liberty of speech and the liberty to vote as he pleases, and his liberty should not be curbed.”

MR. PRESIDENT :—“ So far as I am concerned and this House is concerned, I am not conscious of putting any limitation upon any hon. Member’s liberty to vote. If you feel you are not at liberty to vote as your conscience dictates, I am not responsible for it. Some force is there preventing you from acting as you want. I do not think any outside authority is there to prevent you. What is there to prevent you from walking to the other side and voting? I wanted to bring these points before this House, but I could not do it. Now we have come to a stage where even the Congress party is not bound by that cohesion which it had when it was trying to wrest power from the foreign power. Whatever the differences might be between the various members of the party then, yet the goal was to wrest power from the foreign power. That binding force is gone. You are here as an ordinary political party. You are at liberty to go away and join the other side if you do not like the ways of the Government. If you do not like the ways of your party, what power on earth is there to keep you in that party? ”

DR. V. K. JOHN :—“ Remaining there, he wants freedom of action.”

MR. PRESIDENT :—“ I do not certainly relish the way how Government party Members are functioning, and I am allowing it because, as the Hon. Speaker of the Indian Parliament, Shri Mavalankar put it, we are just in the formative stage. We have not yet developed all the principles of democratic parliamentary procedure. As I see it, the Congress party is practically functioning as the Opposition. I do not think it will be allowed in any well established democratic institution. Either you are here to support the Government, or if you want to go against them, you may criticise them by bringing in amendments. You may vote for the amendment and you may get the support from this (opposition) side. It is your liberty to change sides and cross the floor of the House.

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So far as I am concerned, nothing is preventing you from doing so except your loyalty to your party. Be loyal to your party or change masters if you like. That is a matter which cannot be discussed in this House. It is a matter to be discussed in your party and decided. I do not think we need waste any more time in discussing this matter here. It is a matter for you and your party."

SRI B. BHIMA RAO :—" Sir, after all . . . "

SRI S. B. ADITYAN :—" Is it in order to carry on this kind of discussion? "

MR. PRESIDENT :—" I have given my ruling in the matter. We should now go on with the business of the House."

SRI B. BHIMA RAO :—" I want only a few minutes, Sir."

MR. PRESIDENT :—" I am sorry I cannot allow."

THE HON. SRI K. MADHAVA MENON :—" He wants to run with the hare and hunt with the hound."

SRI B. BHIMA RAO :—" Sir, I am not a man to run with the hare and hunt with the hound. That is the expression that is used. I am a man of conscience. What I feel I say plainly and bluntly, and I act accordingly. I do not know of any instance in all my life of 65 years where I have acted against my conscience. It is only here, on some occasions when I feel the reasonableness of the propositions of Dr. John, I find that I am compelled to vote against my conscience. In 95 per cent of the cases I am one with the Government, and in a few cases I differ from Government. For instance, when the Resolution on the constitution of the Andhra High Court was moved in this House, I felt that there was something wrong in that resolution. I wanted to vote with my hon. Friend who moved the amendment, but I could not."

DR. V. K. JOHN :—" We are proud of him, Sir."

MR. PRESIDENT :—" May I know from the hon. Member himself if he feels right in carrying on the discussion on this in the midst of the discussion of this Bill. This is not a matter for this House. It is purely a domestic matter for you and your party."

SRI B. BHIMA RAO :—" I feel sorry, Sir, for the expression that is used."

MR. PRESIDENT :—" You take him to task in your party."

* DR. P. S. SRINIVASAN :—" Mr. President, Sir, I congratulate the Hon. Minister on his having had the rare fortune of being able to pilot this Bill for the better administration of villages in this Province. We know Acts can be passed, and provisions can be put into the Acts, but unless the personnel in charge of these administrations are honest and good, the provisions in this Bill cannot be usefully enforced. With regard to the appointment of executive officers, I request the Hon. Minister to start even from

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now the training of an army of young men in subjects like local administration, public health and sanitary engineering, and make them fit to take up positions when the opportunity comes. I hope the Government will very soon, or as soon as possible, bring this Act into force, and start the panchayats in all the villages.

“ I have given notice of certain amendments to the Bill. From the discussion that has taken place now, and as the Hon. Minister wants to finish soon, and as the Opposition is not moving any amendments . . . ”

DR. V. K. JOHN :—“ No.”

* DR. P. S. SRINIVASAN :—“ I do not want to move any amendments. I only wanted to point out . . . ”

MR. PRESIDENT :—“ The stage for amendments is not yet come.”

* DR. P. S. SRINIVASAN :—“ Clauses 47 and 48 may be amended or corrected some time later. Clause 47 (5) is not quite clear. This clause deals with the powers of the Inspector to remove the president, vice-president or the members of the panchayat from the panchayat. Under sub-clause (3), the Inspector shall give the president, vice-president or member concerned an opportunity for explanation. Under sub-clause (2) the Inspector may issue a notification and say from which date any member is removed from the panchayat. In sub-clause (4) power is vested in Government to cancel any notification issued by the Inspector, and they may also postpone the date specified in that notification. Sub-clause (5) says that any person in respect of whom a notification has been issued, shall be ineligible for election as president or vice-president or for election as member or from holding any of those offices until the date on which notice of the next ordinary elections to the panchayat is published in the prescribed manner, or the expiry of one year from the date specified in such notification as postponed by the order, if any, issued under sub-section (4), whichever is earlier. I do not know what is meant by this. It is not at all clear. I suggest that it might be made clear as the Government deem fit.

“ Sub-clause (6) of clause 46 says—

‘ The members, other than the president, of a reconstituted panchayat shall enter upon their offices on the date fixed for its reconstitution and their term of office shall expire in such year and on such date as the Government may fix. The year so fixed shall be either the year in which the next ordinary elections or the year in which the ordinary elections immediately succeeding such elections are to be held for any panchayat in the same district. The date so fixed shall not be later than the 31st day of December.’

The whole thing is wrong. The words ‘ in such year and on such date as the Government may fix ’ are good enough. The latter portion may be removed. This is all I want to say, and I trust the Government will carry out these amendments as and when they deem it necessary. (Interruption by Dr. V. K. John.) I do not propose to move my amendments. I have only made some suggestions to Government.”

* SRI R. RAMAKRISHNA NAYUDU :—“ Mr. President Sir, as a villager, I wish to congratulate the Hon. Minister on

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bringing forward such a useful and most essential Bill for the benefit of the villagers. I say it is most essential because the present condition of the villages warrant such a measure. As it is, to do a good thing for those who do not realize the necessity, a certain amount of compulsion is required. So also this Bill compels every village to have a panchayat of its own. Till now it was left to the option of the villages, but there were not many panchayats which came up. Therefore this sort of compulsory Bill became a necessity.

" Yesterday, the hon. the Leader of the Opposition was saying that this was merely a taxation measure. But I wish to point out to him that it is not a taxation measure, but it is something very useful for the villagers. If he visits some of the remote villages, he will come to know that in addition to this taxation measure, there should be more measures. To enforce this Panchayat Bill, more taxes should be imposed so that the villagers may lead better lives. Now the villager does not realize his own conditions nor does he try to improve his conditions. I wish to point out how unhygienic and filthy are the villages.

1 p.m. " There are no public latrines, and streets and pathways are being used for the said purposes. Drinking water is very neglected; roads are neglected, drains are running in the middle of the streets and such other unhealthy acts are being committed every day. These lead to pests and epidemics which scare away the people. To relieve the people from such horrible sufferings, many relief measures are necessary. Public latrines, street sweeping, road forming and drinking water facilities are the foremost items to be attended to. For these we cannot find money without taxing the people at least to some extent. But, Sir, our Leader of the Opposition will tell us that the Government could provide money by way of grants for all these measures, instead of taxing the already heavily taxed villager. In reply to this, Sir, I would like to tell him that if one does not pay, he takes no interest in that matter at all; nobody cares to see what the president does. This is my own experience. Sir, we started a panchayat some years ago and did not impose any taxes. We got some amount from the weekly shandy. Depriving the district board, we got the land-cess and some licence fees. With this amount we employed some sweepers and scavengers and executed little road repair. We had an elected Board in which it was very difficult to find quorum even for monthly meetings. After I left, only very little of that small income was spent and a good amount has been accumulated. No member took any interest. But if they had paid some part of the taxes, they would not have been so negligent and allowed such sums to get accumulated. They would at least realize that there is a panchayat through which they can improve the condition of the village. When the bill collector comes once in a half year at least then they will realize that they have got a part in the panchayat and they can get some work from it. They will then try to take part in its activities. I, therefore, maintain that compulsory taxation is a necessity to make people realize that they are also contributing something for their own well-being and good health.

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"In this Bill, Sir, there is compulsory taxation; but the limit is not specified. It is left to the option of the board to determine the minimum and maximum amounts. They are at liberty to tax the minimum and run the panchayat. But when once they come to realize the amount of benefit they are going to derive from the small contributions they are making, I think not even a daily wage earner would grudge to pay his one or two days' wages in a year. Besides, there are other means of getting incomes at the same time helping the villager, by way of grazing grounds and forests and good tanks could be built up from where silt deposits could be sold at suitable prices. Thus they can get a good income and run the panchayat."

"Sir, much was also said about the interference of the Local Board Inspector and the executive officer. I think, Sir, that some person should be there to guide the panchayat and the Local Board Inspector will be there to guide the panchayats and not to interfere with those bodies. The executive officer also will be there to execute what all the panchayat board passes and he would not be in any way a hindrance to the successful working of the Board. I, therefore, support that such a sort of Bill is essential for the well-being of the people in the villages."

MR. PRESIDENT :—"How much time will the Hon. Minister take?"

THE HON. SRI K. CHANDRAMOULI :—"Only 15 minutes, Sir."

SRI P. VEERABHADRASWAMI :—"Mr. President, Sir, grave doubts have been entertained by many people that the provisions of the Bill cannot work satisfactorily in the village because there are factions in the villages. But, Sir, I think we are enacting this measure at a late date. This ought to have been introduced long ago and people in the villages should be given an opportunity to administer their own affairs. Sir, during the British Raj people in the villages as well as the villages have been neglected; towns and town development were encouraged by the British Government. Consequently, the condition of the village has deteriorated. There are poverty, ill-health and many other evils in almost all the villages; all the intelligent people have left the villages and gone to towns. Even agricultural operations have been given up. No doubt it will take some time for these panchayats to grow, and improvement may be slow. But the Government should give every kind of encouragement and help to these panchayats so that they may grow in a very worthy manner."

"Sir, one novel feature of the Bill is that the president is to be elected by all the voters of the village. It is rather difficult to find efficient people to function as president. In the case of big panchayats, Government propose to appoint executive officers. Those who have an aspiration to work as a president or as an executive officer should have to his credit some work in the villages, specially some kind of training in some Ashram or other. The aim of Mahatma Gandhi was that there should be one trained worker

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for each village who will devote all his time for the improvement of the village and for bettering the condition of the villagers. It will be fulfilled if the Government would give sufficient encouragement to the Ashrams where village workers are being trained.

"Sir, a very important function of the village panchayats now should be to start work in primary school and the best kind of education that can be given to the children in the villages is basic education. All the existing schools may be converted into basic schools and those that will be started in the future may be on basic lines.

"Sir, the only defect in the Bill seems to be allowing separate electorates for Harijans." No doubt, there is an analogy that the Constitution of the Republican India has this provision. But the conditions in the villages are quite different. The Harijans in the villages are sufficiently in large numbers and at the same time, they can have their own men elected to the panchayats even without separate constituencies for them.

"Sir, the greatest handicap with these panchayats is about finding sufficient finances to push through important schemes. From the house-tax, the panchayats cannot be expected to get much because most of the habitations in the villages are huts and it is rather difficult to tax them. Similarly they cannot get much from the profession tax or the vehicle tax. Provision must be made that those vehicles which ply in a panchayat need not pay tax when they go to other panchayats or to municipalities. If that is done, village panchayats can have some good income.

"Another trouble is with the huts in the villages and the frequent fires that occur. The villagers find that all their belongings are completely destroyed by these fires and they have to begin life afresh. So, the best thing that the panchayats will have to do is to have clear layouts of their villages and the Government can appoint Planning Directors for every village so that they may help the villagers to have clear layouts, better streets and better habitations.

"Sir, the Government have to give encouragement to some people in the villages to convert pucca houses to cemented houses, so that others may copy them and have better houses which can escape from frequent fires. Thus they will have better houses, live in better conditions, better sanitation and better health. Sir, I heartily support the Bill."

SRI S. JAYARAM REDDI:—"Sir, I wish to make a few suggestions in supporting this Bill. The Leader of the Opposition was suggesting that this is a Bill which will bring additional taxation measures in the villages. Of course, there will be new taxation which the villagers will not take very heartily. One suggestion which I would like to make is instead of giving 12½ per cent of the land revenue to the villages, a greater portion of the land revenue may be marked to the villages, and the incidence of taxation levied on the villagers should be reduced. That will go a long way to relieve the burden of taxation measures that are proposed. Another view that was expressed by one of my Friends yesterday was that

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if there is no taxation in the villages, there is no responsibility. What has become of the money that is being distributed towards subsidy for sinking wells? The money that is being given to the villagers is not treated as money subscribed by the villagers to the Provincial Government. They think that it is coming as a boon from Heaven and they are not very particular about the ways and means which they adopt for getting that money. Unless some taxation measures are introduced, there is a feeling that the responsibility of the villagers will not be felt then and there and the administration is likely to be bad. That is one aspect which makes me feel that the taxation proposal must be always there when an administration has to be run. That is one aspect which prompted me to support the measures in this present form. From that point of view, I think the taxation measures that are proposed can be modified at a future date, if necessary, after experience is gathered in the working of the Bill. The Bill, as a whole, is one which has to be welcomed by the people because, as it is, from the Provincial Government the villagers cannot expect any ameliorative measures for a number of years. The overhead expenditure of the Provincial Government cannot allow their finances to be diverted to the betterment of the villages. So, a Bill of this kind which the Hon. Mr. Chandramouli has brought forward is a step in the right direction. All of you may be aware of the Sarvodaya plan that was submitted to the Working Committee of the Congress and there it is proposed that power should be decentralized as far as possible and the villages must be made autonomous units wherein they can themselves carry out necessary schemes; they need not look to the Provincial Government or the District authorities. With these few words, I support this Bill."

MR. PRESIDENT :—" Is the Hon. Minister likely to finish by 1-30? "

* THE HON. SRI K. CHANDRAMOULI :—" Yes, Sir, I shall finish. Sir, I am thankful to the various hon. Members who have spoken on the general principles of the Bill and who have levelled certain criticisms against the Bill itself. But, before I go into the matter, I would like to dispel one misconception that has been brought in by the Leader of the Opposition. The Leader of the Opposition occupies an important and dignified position in any House or Parliament. He is expected to weigh the issues properly with caution, care and moderation. He can also draw his conclusions on a general basis and moderation of expression should be the guiding principle of any parliamentarian.

" Somehow I found that Dr. John was a little bit excited yesterday. Of course he was angry also in his expressions. I expected that with all his rich experience and legal knowledge he would show at least some light towards this side. Instead of that, he threw much heat and no light. That was the substance that I found. I am very sorry that the heat that he has thrown might swallow the whole House. That is why I appeal to Dr. John that at least hereafter he may be moderate in his criticism and give his valuable advice with the rich experience and legal knowledge which

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he has got. I am not a lawyer. I am also not a logician as Dr. John. But even in his over-enthusiasm he talked about abstract idealism and other things. I can assure Dr. John that I am a much better philosopher than him. There I would not yield to anybody."

DR. V. K. JOHN :—" It is conceded."

* THE HON. SRI K. CHANDRAMOULI :—" What my friend forgets is that he is living in a modern democratic age. What does democracy mean? It means moderation, it means dilution. Any individual member cannot come here and say, ' This is the highest idealism and the whole House should be raised to that level ' and so on without any consideration for others. I say that it is impossible. So long as we live in society, we have to moderate our views. We have to adjust ourselves with the other ideas and other temperaments and thus arrive at a common factor. That is all what I would like to say. The Bill certainly has very good germs. I wish Dr. John had been a little bit moderate. The Government have brought this liberal measure. This is not an autocratic measure. That is why I said that the Bill is just in consonance with the modern set-up, or I should say, the highest common factor has been arrived at. Sri Suryanarayana Rao and Dr. John have levelled three fundamental criticisms upon the Bill. The first thing is, as far as the constitution of the panchayats is concerned, it would have been better had the villages been clubbed together and thus the scope of their activities and also financial set-up were enlarged. If their suggestion is accepted, I am afraid that it will kill the very principles of self-expression and village autonomy about which they have vehemently used high words. By clubbing a group of villages, we will be binding them together for ever. It is not the intention of the Government. The intention of the Government is, whether a village is small or big, it should have a sort of autonomy. A village may be big or small in population or in finance. It does not matter. It should be an autonomous unit. However, it does not prevent, nor is it the intention of the Government, that these villages should not at all combine together. For certain specific purposes they can join together voluntarily and carry on the work. For instance, a road has to be formed in a particular place. Two or three villages can combine together for this specific purpose and carry on this work and share the expenditure equally or proportionately. So also, if a hospital is to be formed for the benefit of two or three villages, they can combine themselves automatically, take the initiative and form the hospital. That is the kind of independence that I expected Dr. John to appreciate. Instead the Opposition want to combine these villages and bind them together on the one hand and at the same time, they are talking loudly about village autonomy and all that. I cannot understand this.

" There is also another thing about the taxation measures. Dr. John was very harsh in saying that the Government is trying to benefit themselves by taxing the panchayats compulsorily. If one goes through the Bill, he will find that whatever is taxed by any panchayat, not one single pie is going to the coffers of the

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Provincial Government. There is nothing in this Bill that warrants any assumption that has been taken by Dr. John in this respect. On the other hand, it is the intention of the Government to continue the grants that are being given already and also increase the grants wherever necessary and in addition to that, however meagre it may be, 12½ per cent of the land revenue has been compulsorily set apart for the panchayats. All this will show that the necessary financial strength has been given to the panchayats. I have already told when I was moving the Bill for the Select Committee that it is not only my personal intention, but it is the intention of several of the villagers that they should not be spoon-fed always and that they should not depend even for small things upon the Provincial Government or some benevolent charitable institutions. They should feel that they also contribute something for the governance of the panchayats. That is real democracy, that is real independence and that is real autonomy. That is why certain taxes have been placed there compulsorily which will be levied."

DR. V. K. JOHN :—" Why not leave it to their option to tax or not? "

* THE HON. SRI K. CHANDRAMOULI :—" They had to be assured of some resources in order to establish themselves and develop their strength and be able to discharge the functions and duties entrusted to them.

" Again, Dr. John wants that Ministers should be there and at the same time the panchayats should be thoroughly independent. That means he wants parallel Governments. I may tell that it is quite alien to the soil. Parallel Governments cannot be run by each and every village. It will only create chaos and confusion."

SRI B. NARAYANASWAMI NAYUDU :—" They will be mere puppet Governments."

* THE HON. SRI K. CHANDRAMOULI :—" That may be the view of Sri Narayanaswami Nayudu. But I may tell him that it is not at all so. As far as the principles of this Bill are concerned, there will always be co-ordination and combination. However much the Opposition may talk and criticise, they cannot get on without administration for a moment. I challenge anyone to take up Government and run for a moment. It is so easy to talk and criticise. But it is really very difficult to put into practice those high ideals and big things which they so loudly profess. In putting certain taxes compulsorily, it is the intention of the Government that these panchayats should stand to some extent upon their own legs and be able to carry on certain things that are essentially needed by the villagers. With the advent of freedom, we cannot go on simply keeping quiet without carrying out certain small measures that are beneficial to the villagers. However poor our villagers might be, I am sure they will appreciate these things and carry on the work.

" There is also another matter, namely the appointment of executive officers. Several friends have raised objection for these executive officers; particularly, the Leader of the Opposition thinks

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that it would create favouritism and the Ministers will take all the power into their hands. I am very sorry to say that this remark is unfounded. In spite of Dr. John's talking about the highest autonomy, yet he is not against the executive officers. He wants that the executive officers should be selected by the Services Commission. That is his idea. If the village autonomy is to be developed and if no extraneous factors ought to be imposed upon the villages, I can understand, if Dr. John or any other hon. Member said that these extraneous officers should not be there once and for all. But they want these executive officers and at the same time they say that the officers should be selected by the Service Commission. After all even clerks and peons are selected by the Commission. There is no kind of patronising in this matter. Because if to-day one man is to be patronised, to-morrow some other Minister will come. Perhaps Dr. John might become Minister one day and he may patronise someone. That is why I say that he cannot say that all these things are done with a motive of patronising. After all if you go through the list of executive officers that have been appointed, it will be seen that it is the Inspector who appoints the executive officers and not the Ministers or anybody else. If one goes through that list, he will see how nicely these appointments have been made. I can say without fear of contradiction that every issue has been taken into consideration before these executive officers are appointed. The intention of the Bill is as far as possible not to appoint these executive officers. Only when there is an imperative necessity and when there is a compelling force, we will be appointing these executive officers. Even then, the executive officers will be appointed to bigger panchayats where there is financial strength and heaviness of work. All these things can be done cautiously. I can assure the Opposition, particularly, Dr. John that these things will be done with care and caution and not for patronising any one.

“ Regarding Sri Suryanarayana Rao's remark, after all he has not even used very strong expression. I should say that his expression is rather wavering. He wants executive officers and at the same time, he wants to see that they are carrying their work properly. Of course, I admit that any public work can be done only by a band of selfless persons. However high a scheme may be, much will depend upon the people who work. Other friends have also stated that it all depends upon the way in which the people carry on the administration. In Independent India, hereafter at least, we expect that everyone would be imbued with a patriotic spirit and work selflessly. So we should not draw up any difference between an officer and an elected member. Either the officers run the administration or the elected members run the administration, they should combine together and co-operate with each other, and see that these institutions are made a great success. I can assure the hon. Members, particularly the Opposition, that the Bill has got all the good germs that would give a healthy germination provided the hon. Members take a keen interest, and proper care and help these institutions with their advice, best work and unceasing work and thus see that these

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institutions are made a success. Unless we work and gain experience, it is premature to cast any aspersions upon the authors and framers of the Bill or the Ministers who have brought this Bill into existence. Once more I appeal to the hon. Members to see that this Bill and the principles underlined are studied properly. If there are any defects I can assure the hon. Members, that the Government will consider them if they are pointed out. The Government does not want to stand on false prestige. We are not enamoured of all those things. On several occasions, I have accepted a number of amendments even in spite of myself. Whenever we do not accept an amendment, the Opposition feels that because we have the majority strength, we do not want to hear those view points and thus want to go ahead as we please. They are wrong in thinking so. They should not go with that impression. Particularly, I request Dr. John to see hereafter that he gives the highest care and caution to all matters that pertain to the well-being and welfare of villagers. I know that he is also very anxious that our villagers should prosper. With these words, I commend the Bill for the consideration of the House."

MR. PRESIDENT :—" The question is—

' that the Madras Village Panchayats Bill, 1949 (L.A. Bill No. 22 of 1949), as passed by the Legislative Assembly be taken into consideration at once.' "

The motion was carried.

The second reading of the Bill will be taken on the next day when the House meets. The House will now adjourn and meet again at 2-30 p.m.

(After lunch—2-30 p.m.)

IV.—ADJOURNMENT MOTION.

SRI B. NARAYANASWAMI NAYUDU :—" Mr. President, Sir, I move—

' that the business of the Council be adjourned for the purpose of discussing a definite matter of urgent public importance, viz., the cut and manner of regulating the supply of electricity for agricultural purposes from the Mettur and Pykara schemes which is greatly disastrous to the food situation in the districts served by them.'

" In making this motion I wish to point out that irrigation in the central districts as well as in some others including deltaic areas depends to an appreciable, if not a large, extent upon electric supply. I am not referring to any extension of power to new areas or to new projects but am only confining myself to those places where crops have been raised and are standing. The question is whether these crops should get any water and if so how much. It is not my intention, in raising this question, to get an audience for me but I move the motion in order to get an answer from the Hon. the Minister for Public Works as to the programme of the Government in the matter. If it is a question of my